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Convention on the Elimination of All Forms of Discrimination against Women

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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the combined second and third periodic reports of Oman

Addendum

Replies of Oman*

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Note: The present document is being circulated in Arabic, English, French and Spanish only.
* The present document is being issued without formal editing.

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Constitutional and legislative framework

Response to question 1:

1. Under the Basic Law of the State (Constitution), "Laws and measures having the force of law must conform to the provisions of the Basic Law of the State before they are issued and published in the Official Gazette" (art. 79), and "No authority in the State may issue rules, regulations, decisions or instructions which contravene the provisions of laws and decrees in force or international treaties and agreements that are part of the law of the land" (art. 80). The aforesaid two articles require the competent authorities in the Sultanate to implement the provisions of the Convention on the Elimination of All Forms of Discrimination against Women immediately as a part of the law of the land. They further require government bodies to refrain from issuing rules, regulations or decisions that contravene the provisions of the Convention. Thus, the competent bodies in the Sultanate, particularly the Ministry of Legal Affairs, must review draft legislation and regulations before they are issued and published in the Official Gazette to ensure that they are compatible with the Basic Law of the State and the conventions and treaties to which the Sultanate has acceded. Any incompatibility must be eliminated before the relevant law, decision or regulations may be issued based on a process of prior oversight to determine their compatibility with the Basic Law of the State and with conventions and treaties in force.

In addition, the issuance by any body of any gender-based discriminatory provisions is regarded as a categorical violation of the Basic Law of the State. Under that law, the independent judicial authorities exercise oversight authority over, and may repeal, decisions and laws that conflict with the Basic Law of the State.

2. The Sultanate is not aware of discriminatory provisions in the Penal Code, the Personal Status Law, the Arbitration and Reconciliation Law and the Nationality Law.

Reservations

Response to question 2:

3. The Sultanate regularly reviews the provisions of the conventions to which it has acceded to ascertain the extent to which they are actually applied. It also regularly reviews its reservations to provisions of such conventions with a view to achieving its interests without making any prior commitment to withdraw a particular reservation.

4. His Majesty the Sultan approved the recommendation that Council of Ministers made at its session No. 24/2015 to withdraw the reservation of the Sultanate to article 15 (4) of the Convention. Given that the recommendation is currently being implemented in practice, the constitutionally mandated process for the issuance of a royal decree to withdraw the reservation has begun. The Council of Ministers will shortly submit, to the Consultative Council, a draft decree withdrawing the reservation for the Consultative Council's remarks pursuant to article 58 bis 41 of the Basic Law of the State, which requires referral of economic and social conventions which the Government intends to ratify or join to the Consultative Council for its remarks and conclusions, which are then submitted to the Council of Ministers for the latter's adoption of measures as it deems appropriate.

5. The reservation of the Sultanate to the provisions of the Convention that do not conform with the Islamic sharia does not affect women's rights under the

Convention, because the Basic Law of the State and other laws in effect guarantee the rights of women and non-discrimination based on sex.

Legal status of the Convention

Response to question 3:

6. In October 2016, the Office of the High Commissioner for Human Rights in the Middle East and North Africa cooperated with the Omani authorities to conduct a training workshop on the Convention. The workshop sought to familiarize participants with the obligations entailed by the accession of the Sultanate to the Convention in the area of human rights. The workshop also provided information on the incorporation of international conventions in judicial rulings. It was intended for persons enrolled in the Higher Judicial Institute, including assistant judges and deputy public prosecutors. The Follow-up Committee for the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, the High Judicial Institute and the Ministry of Justice will monitor the implementation of this programme during 2017-2020.

7. Under article 61 of the Basic Law of the State, "There shall be no power over judges in their rendering of judgement except for the law. Judges may be dismissed only in the circumstances specified by the law. No party may interfere in judicial cases or affairs. Any such interference shall be considered an offense punishable by law. The law shall stipulate: the conditions which must be fulfilled by judicial officials; the conditions and procedures for appointing, transferring and promoting judges; the guarantees established for judges; the circumstances in which judges may not be dismissed; and other provisions relevant to judges". The aforesaid article underpins the independence of the judiciary, which is subject to the law (including international conventions to which the Sultanate has acceded, which are a part of the law of the land). The discharge of judicial functions by judges is also subject to judicial inspection under the Judicial Authority Law. Hence, judicial inspection of the actions of judges is the sole guarantee of the knowledge and competence of judges.

8. It should be noted that there are no religious courts in the Sultanate. The sharia departments in the courts have jurisdiction in the application of personal status laws. The judges in such departments, as in other departments, are trained and qualified before they perform any judicial function and are subject to judicial inspection once they assume judicial office.

Access to justice

Response to question 4:

9. Regarding the measures taken to ensure that women are aware of their rights under the Convention, the Sultanate has made assiduous efforts to spread awareness of, and to protect, human rights, including the rights of women. The Ministry of Social Development, which is the body concerned with women's affairs in the Sultanate, has made major strides in raising awareness of human rights and promoting the adoption of a human rights perspective. The Ministry organized a number of programmes, conferences and seminars at the national level. As mentioned in the report (para. 51), the Ministry also issued memoranda explaining the channels and procedures through which women may access the judiciary to demand their legally guaranteed rights and to seek justice if their rights are violated.

10. In addition, civil-society institutions play an effective role concerning women's rights. For example, in 2017, the Omani Women's Association in Sib collaborated with the Omani Journalists' Association to organize awareness-raising

programmes that reviewed and explained the Convention and raised women's awareness of the rights covered by the Convention. The Oman Human Rights Commission also holds many human rights activities and training workshops, particular the following, which were held in 2016-2017:

11. On 17 January 2017, the Ministry of Social Development inaugurated a free telephone hotline (1100) to receive calls reporting abuse, provide counselling services and refer cases to the relevant authorities when necessary.

12. The culture of the protection of women's rights has been strengthened through the holding of many training courses and legal education programmes in the schools, the broadcasting of radio and television interviews, the publication of articles in the local newspapers and the preparation of publications for distribution to all governmental and non-governmental bodies.

13. Many awareness-raising lectures have been given to provide information on family protection, the mechanisms in the various governorates for reporting abuse and the protective services provided by the Family Protection Department.

14. Numerous specialized bodies have been established in the Sultanate to guarantee the rights of women and their ability to defend those rights, including: the Oman Human Rights Commission; the Family Protection Department in the Ministry of Social Development, which receives complaints of abuse against women and refers them to the competent authorities; and Dar al-Wifaq, which provides shelter to women and child victims of abuse and violence. Dar al-Wifaq separates victims from the source of violence, provides for their physical and psychological safety and protects them from abuse and neglect in the framework of the family or community by providing psychological, social and legal support based on a treatment plan supervised by competent staff.

15. There is no evidence that the courts of various types and levels discriminate against women. Article 59 of the Basic Law of the State states, "The rule of law shall be the basis of governance in the State. The integrity of the judiciary and the impartiality and probity of the judges shall be a guarantee of rights and freedoms". Hence, the judiciary treats all litigants equally and does not discriminate among them. Discrimination in the courts violates the law and anyone who engages in such discrimination is held legally accountable. The laws regulating litigation procedures also provide litigants recourse if they suspect they may be subject to discrimination, including multiple appeal levels, procedures for lodging claims for damages against judges for miscarriage of justice and procedures for demanding the removal of judges.

16. The right to litigate is protected and guaranteed to all persons, male and female, under article 25 of the Basic Law of the State, which states, "Litigation shall be a protected right guaranteed to all persons. The law shall state the procedures and conditions necessary for exercising this right. The State shall ensure as much as possible that litigants can easily access the judiciary and that cases are adjudicated speedily". Article 23 of the Basic Law of the State states, "The accused shall be entitled to appoint an attorney who can defend him in a trial. The law shall define the circumstances in which the lawyer of the accused must be present. The law shall ensure, for persons who are financially unable, the means to access the judiciary and defend their rights". Hence, the Basic Law of the State guarantees access to the judiciary as a fundamental right of the individual. It also provides for legal aid for persons who lack the means for legal recourse. In order to implement these provisions of the Basic Law of the State, the Ministry of Justice issued Ministerial Decision No. 91/2009 regulating legal aid for indigent persons. The decision exempts persons unable to bear judicial costs from payment of judicial fees, provides for the appointment of a lawyer to defend their rights and grants them

legal assistance to cover judicial announcement publication fees and experts' expenses.

17. The Oman Human Rights Commission organizes a number of activities annually to raise women's awareness of the complaint submission mechanism. Reports are submitted to the Commission in person, through its website or by telephone. The Commission prepares an annual awareness-raising and education plan. The plan for 2015 covers a number of lectures and seminars. The Commission also participated in a number of activities and published research and publications on women. Members of the Commission and its general secretariat also participated in radio and television interviews. The Commission's activities also included the following:

- Lectures at the College of Law at Sultan Qaboos University and at the Diplomatic Institute of the Ministry of Foreign Affairs on the human rights efforts of the Sultanate and on the role of the Oman Human Rights Commission.
- A lecture on the rights of women and children at the Omani Women's Association in Badiyah.
- Awareness-raising lectures on human rights at the six summer centres located throughout the Omani governorates.
- A lecture on women's rights and the Convention at Ruqyah Secondary School in Badiyah.
- A lecture at the Ma'mur Basic Education School in Bahla' on the Oman Human Rights Commission and its role in spreading a culture of human rights.
- First awareness-raising convoy in the governorate of Zufar, which included multiple activities and field visits to a number of governmental bodies and institutions, civil-society institutions and public and private-sector establishments.
- Participation in a number of seminars and activities concerning women and children, such as "Deaf Child Week," the Motherhood and Child Seminar and Ramadan cultural contests for children.
- Publications and media materials covering the degree of awareness of government measures to counter violence against children, a monthly page in the official newspaper of Oman and national mechanisms for curbing child abuse.
- The Commission conducted awareness-raising convoys as part of an intensive programme carried out once annually in one of the Omani governorates. The programme includes general lectures, meetings with officials, field visits of government and private institutions, training workshops, human rights contests and surveillance and monitoring of human rights conditions in the governorate. The Commission has to date conducted two convoys, one in the governorate of Zufar in 2015 and a second in the governorate of Musandam during 17-20 October 2016. The governorates of Zufar and Musandam made appreciable efforts to coordinate and prepare for the convoys. All official agencies in the governorates responded positively and cooperated. The convoy programme included the following:
    - o A general lecture at the Oman Chamber of Commerce and Industry in the district of Khasab on the Commission and its purviews, the mechanism for receiving reports, human rights protection mechanisms and international conventions. The lecture was attended by the administrative

officer and a number of officials from the civil, defence and private sectors.

- Two general lectures for the population of the districts of Madha and Bakha, which were attended by the administrative officers, members of the Council of State and Consultative Council, leaders, notables and the general population of the two districts.
- Four training workshops for 100 participants from different agencies in the governorate concerning freedom of expression, the rights of the child, the rights of persons with disabilities and women's rights.
- Two contests on the rights of the child for 100 male and female students from schools in the districts of Khasab and Bakha.
- Visits to a number of health institutions, including Khasab Hospital and the health centres adjacent to it, Kumzar Clinic and a number of schools to learn about the services offered in the governorate.
- Visit to the island of Kumzar to meet with residents and learn about transportation, water, health and education services provided on the island.

• During 2016, the Commission issued a number of publications and films, the most important being:

- A book entitled *Human Rights in the Royal Decree* (in Arabic), which includes artistic drawings and excerpts from the speeches of His Majesty Sultan Qaboos dealing with the Basic Law of the State and the Universal Declaration of Human Rights.
- A book entitled *Human Rights in the Islamic Sharia* (in Arabic) by Dr. Ahmad Abulwafa. The Commission financed the printing of this important reference work, which is a new addition to the human rights library. Released on 16 May 2016, it covers aspects of human rights in a comprehensive fashion.
- A booklet entitled *My Childhood My Right* (in Arabic and English), which is the fifth booklet of a series designed to educate children about their rights under the Convention on the Rights of the Child and the Omani Child Act. The fifth booklet covers the child's right to play using cartoon characters that use simple dialogue to clearly define this right and the duties it entails.
- The Commission's monthly page in the Oman Daily. The page summarizes key local, regional and international events in which the Commission participates. It also presents activities occurring during the month and sheds light on human rights problems which the Commission has resolved.
- A booklet documenting key events and activities of the Commission during 2013-2016. It lists the members who represented the Commission during 2013-2016 pursuant to Royal Decree No. 10/2013 and presents the publications, statistics and reports issued by the Commission during the period.
- A film in English and Arabic covering amendments to the royal decree issued in April 2016 and the Commission's latest activities.

National human rights institution

Response to question 5:

18. Royal Decree No. 124/2008 specifies the Commission's responsibilities. A primary responsibility of the Commission is the receipt of complaints. The Commission received 28 reports from women in 2015 concerning the following civil and political rights:

- Right to equality: The Commission received six reports from women complaining that they were not treated equally with men in respect of the right to sponsor a foreign spouse and that they were not permitted to obtain residence visas for their children born of a foreign father despite having obtained permission to marry a foreigner from the Ministry of Interior. The Commission contacted the relevant authorities during 2015 to examine entitling Omani women, on a par with Omani men, to sponsor their foreign spouses for purposes of obtaining residence visas.

- Litigation: The Commission observed that litigation in certain labour lawsuits was becoming protracted, extending beyond the termination of the labourer's residence. As a result, such labourers lost their income source and became unable to exercise other fundamental rights, such as the right to receive education and health-care services. The Commission recommended, in its annual report for 2015, supporting the courts with an appropriate number of judges specialized in labour actions to reduce litigation time and assigning experts to a special department to address this issue.

- Family safety: The Commission received a report from a female citizen concerning a child who was abused by the husband of the child's mother. The Commission studied the matter and referred it to the Ministry of Social Development. The latter reported that custody was granted, according to procedures in effect, to the woman who lodged the report. The Commission recommended, in its final report of 2015, the establishment of a centre to collect data on child abuse cases and to train and qualify relevant police personnel, physicians and social workers in methods for treating children subject to abuse. The Commission also recommended granting these professionals the capacity of judicial police officers pursuant to the legal procedures in effect.

19. Economic, social and cultural rights: The Commission received 26 reports during 2015 concerning the following rights:

- Suitable housing: The Commission received a number of reports that included requests to obtain social housing and housing assistance. It referred the requests to the competent agency, which made exceptions for a number of applicants in deference to their humanitarian conditions in order to provide them with a decent living situation. The Commission received a report on buildings belonging to the Muscat Municipality for housing workers which failed to meet the minimum security, safety, and health requirements. The Commission visited the buildings and verified the report.

- Family welfare: The Commission received a number of reports concerning family welfare, including a request from a female citizen married to a national of one of the Gulf States. The woman reported that she had yet to receive a response from the embassy of her husband's country to her request that it issue her daughter a passport. The Commission contacted the embassy to urge it to follow up under the regulations in effect to enable the child to obtain a passport.

- Prison visitation: Two female inmates in the Central Prison submitted requests to be allowed to see their children. The Commission coordinated with the Ministry of Social Development to enable them to meet with their children.
- A decent life and social security: The Commission received a number of requests to increase social security pensions and provide social housing. The Commission coordinated with the competent authorities to provide exceptions for a number of families in view of their economic circumstances.

20. The Oman Human Rights Commission was established in the Sultanate of Oman under Royal Decree No. 124/2008 based on the importance attached by the Sultanate to the existence of an independent human rights institution. The Sultanate observed the Paris Principles in forming the Commission and establishing its authorities and operating method. Civil-society organizations form part of the Commission's composition, which includes representatives of the Oman Chamber of Commerce and Industry, the General Federation of Oman Trade Unions, non-governmental organizations and several government agencies and legal professionals. The commission thus firmly embodies the Paris Principles regarding human rights institutions, namely that they be independent, that government units be required to cooperate with them, and that they be charged with implementing the Paris Principles through involvement in the preparation of human rights reports. Accordingly, the Commission's general mandate concerns all matters relating to human rights in the Sultanate. The Commission's charter provides for the allocation of financial resources to the Commission from the general government budget or as decided by the Council of Ministers. The Commission also has a general secretariat with staff responsible for following up on the Commission's activities and proceedings and helping committee members discharge their human rights functions in the Sultanate. The Oman Human Rights Commission is a member in the Arab Network of National Human Rights Institutions.

National machinery for the advancement of women

Response to question 6:

21. As to whether the Women's Affairs Department is adequately equipped in terms of human, technical and financial resources to coordinate the policies and the mechanisms at the central and local levels, including by opening branch offices in all governorates, to achieve the full and uniform implementation of the Convention throughout the territory of the State party, the report of the Sultanate states that the Ministry of Social Development has worked to strengthen the role of the General Directorate for Family Development, the women and family departments and the Committee to Monitor the Implementation of the Convention by providing them with specialized, experienced staff. Family development departments concerned with women's affairs are present in all governorates of Oman and are represented by the family development divisions in the provinces. These family development departments and divisions have national staff who are trained and qualified to implement programmes for empowering women, including legal, political and social empowerment. They disseminate the Convention in all governorates through trainers trained for this purpose. The budget for the Ministry of Social Development includes a special women's sector budget for activities and programmes that serve women in all governorates in areas of concern to the Ministry.

22. A national strategy for women entitled "Enhancing the Quality of Life" is being prepared. A strategy implementation plan will be formulated after the strategy is approved by the competent authorities in the Sultanate (the minister and the undersecretary).

Civil society organizations

Response to question 7:

23. As to the concrete measures taken to create and ensure an enabling environment, in which civil society and women's rights organizations can freely operate, the Ministry of Social Development provides all administrative and financial facilities to support Omani women's associations. This includes providing them with headquarters and buildings with halls designed according to the best, most current designs. These facilities enable the associations to run activities and programmes for community members. They are also used for income-generating projects. The associations freely operate their programmes and activities according to their charters and need not refer to the Ministry of Social Development, as reflected in the volume of such activities and programmes carried out during 2016.

24. In reference to the legal requirements for the registration and operation of non-governmental organizations, including those relating to women's human rights, the Civil Associations Law authorizes the Ministry of Social Development to consider applications for the declaration of non-governmental organizations. Under the Civil Associations Law, the Ministry's denial of an application must be based on specific reasons, and an applicant may appeal a denial to the minister within one month of receiving the denial decision. The minister's denial of an appeal may be appealed to the Administrative Judiciary Court in its capacity as the independent judicial authority charged under the Basic Law of the State to examine the propriety of administrative decisions. The procedures for declaring a non-governmental organization in the Sultanate are flexible and transparent, and many organizations have been declared recently. Freedom to form associations is guaranteed by the Civil Associations Law, and associations established according to the law may operate with the utmost ease. The Sultanate constantly amends its legislation on freedom of peaceful assembly and association.

Temporary special measures

Response to question 8:

25. The Sultanate is cognizant of the provisions of article 4, paragraph 1 of the Convention concerning temporary measures to accelerate the achievement of real gender equality and of the option of States party to adopt such measures. The National Committee to Monitor the Implementation of the Convention is studying proposals concerning this paragraph that have been submitted from time to time, membership quotas for the Consultative Council and the measures needed to amend statutes currently in effect, all based on article 4, paragraph 1 of the Convention.

26. The Government and ministries concerned with women's rights and with support for women's participation have taken steps to familiarize relevant officials and political representatives with the concept of temporary special measures. Efforts are also being focused on training and empowerment programmes for women, particularly women who are standing for election to councils, including the Consultative Council and the municipal councils. The Ministry of Social Development, in cooperation with the Arab Women's Centre for Research and Training, supported female candidates standing for election in the second round of municipal elections held on 25 December 2016 by holding a training programme for journalists and female candidates. The programme sought to strengthen women's participation in politics and elections and to promote electoral regulations that support women. The Ministry also focused on the role of the media in promoting female candidates by supporting electoral advertising for female candidates in the second round of municipal elections, in which seven women were victorious,

including two women who came in first place in their provinces. Also, competent woman are being appointed to represent the ministries in the aforesaid councils.

27. The Committee to Monitor the Implementation of the Convention at the national level discussed several proposed temporary measures and the establishment of quotas for women in the elected councils at its first meeting in 2017 on 22 May. The Committee is currently coordinating with the Council of State to complete a study of this matter.

Stereotypes and harmful practices

Response to question 9:

28. National strategies and plans include among their objectives efforts to change stereotypes of women. The social action strategy of the Ministry of Social Development (2025-2016) focuses on three main principles: equity, empowerment and integration. The strategy, whose executive plan targets changing stereotypes of women and girls, harmonizes with the "Oman vision 2040". It focuses on empowering women and developing their role in Omani society by providing an environment that affirms the pivotal economic role of women in the family and society and the participation of women in decision-making offices. This strategy is consistent with national legislation and national commitments under conventions ratified by the Sultanate, including the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities.

29. Efforts are currently underway to evaluate the impact of development programmes, including information programmes targeting women, and the obvious impact of the education of women and their entry into the labour market. The Ministry of Social Development has adopted a dual-track approach: 1) strengthening the legal awareness of women through awareness-raising programmes that explain the rights and duties of women in Omani legislation and international conventions ratified or joined by the Sultanate; and 2) launching a marriage and family counselling programme that explains the principles of marital relations, the culture of proper upbringing, equal treatment between spouses, the role and rights of each party in the marital relationship, cooperation mechanisms and the complementarity of spousal roles.

30. The Sultanate is also continuing its efforts to highlight the effective role of women in society and in political and public life.

Response to question 10:

31. The report states that article 7 of the Personal Status Law sets the minimum age of marriage at 18 years for males and females, and article 6 of the same law requires that marriages be recorded in an official register. The Personal Status Law exempts marriage by persons under the age of 18 from the aforesaid provisions if a judge permits the marriage after ascertaining that it is in the interest of the relevant person. Thus, persons under the age of 18 may marry legally with the permission of a competent judge.

32. The 2003 and 2010 censuses showed that early marriage does not exceed 0.10 per cent of the child population. Indicators developed by the National Centre for Statistics and Information show an increase in the average age upon first marriage in Oman to 28 years for males and 26 years for females.

33. Regarding the steps taken to eliminate and criminalize harmful traditional practices, such practices, which are pervasive in both rural and urban areas of Oman, are illegal under the Child Act as mentioned in the report. Female genital

mutilation is among the harmful practices covered in the draft implementing regulation for the Child Act. This subject was discussed by the Committee to Follow up the Implementation of the Convention in its first meeting in 2017 held on 22 May. A representative of the Ministry of Health has been assigned to provide the Committee with an expert report on this subject and to consider referring the matter to the Office of the Mufti for a formal legal opinion.

Violence against women

Response to question 11:

34. The Sultanate is in the process of adopting measures for promulgating a new Penal Code as provided in the Basic Law of the State (Constitution). The new code will address many of the deficiencies and lacunae in the current code, including sexual assault of various forms. It will also better protect women from the offenses of violence and abuse. The Sultanate is therefore of the opinion that domestic and sexual violence need not be regulated under a separate law and that existing legislation suffices to deter, prosecute, and punish perpetrators of such offenses, taking into account that sexual violence victims must be treated as victims and guaranteed all necessary procedures for the defence of their rights and the punishment of offenders. Pursuant to Royal Decree No. 72/2001, the Sultanate repealed article 252 of the Penal Code, under which a man who kills or injures his wife, mother, sister or daughter after having surprised her while she was committing a dishonourable act may receive a reduced penalty or be exempted from punishment.

Response to question 12:

35. As stated above, under article 25 of the Basic Law of the State, "Litigation shall be a protected right guaranteed to all persons. The law shall state the procedures and conditions necessary for exercising this right. The State shall ensure as much as possible that litigants have access to the judiciary and that cases are adjudicated swiftly". Article 23 of the Basic Law of the State states, "The accused shall be entitled to appoint a lawyer who can defend him in a trial. The law shall define the circumstances in which the lawyer of the accused must be present. The law shall ensure, for persons who are financially unable, the means to access the judiciary and to defend their rights". Hence, the Basic Law of the State guarantees access to the judiciary as a fundamental right adhering to the individual. It also provides for legal aid for persons who lack the means for legal recourse. In order to implement these provisions of the Basic Law of the State, the Ministry of Justice issued Ministerial Decision No. 91/2009 regulating legal aid for indigent persons. The decision exempts persons unable to bear judicial costs from payment of judicial fees, provides for the appointment of a lawyer to defend their rights and grants them legal assistance to cover judicial announcement publication fees and experts' expenses.

36. Multidisciplinary legal, medical and psychological assistance and rehabilitation services are provided to women victims of violence placed with Dar al-Wifaq shelter by state specialists in cooperation with relevant institutions and non-governmental organizations. Legal researchers inform victims of their legally guaranteed rights and follow up and expedite cases with the judicial authorities on behalf of victims. Victims receive emergency medical treatment and periodic medical examinations from a technical committee formed by the Ministry of Social Development under Decision No. 35/2015. The committee's members include physicians from the Ministry of Health and specialists from the Ministry of Social Development. In addition, social workers and psychologists monitor and evaluate cases and operate rehabilitation programmes for victims.

37. Regarding the steps taken to systematically collect data on violence against women and girls, an electronic database was developed in early 2017 to register females placed in Dar al-Wifaq shelter. The database includes data on the social situation of battered women and their families, the causes and types of violence and measures taken during the victims' stay in the shelter. Family counsellors and the Family Protection Department in the Ministry of Social Development also record cases of abuse or social problems. A national protection register is currently being created.

38. Dar al-Wifaq is the central shelter that takes in abused women from all governorates of the Sultanate. It can accommodate 30 women at one time and has annexes that can be used to accommodate additional women when full capacity is reached.

39 The Ministry of Social Development has established a free telephone protection hotline (1100) to receive complaints, provide counselling services and refer cases to the relevant authorities when necessary. The hotline staff counsels callers, provides them with appropriate options for addressing their problems and helps protect their rights.

Trafficking and exploitation of prostitution

Response to question 13:

40. The report states that the Sultanate promulgated the Law on Combating Human Trafficking under Royal Decree No. 126/2008. A plan to combat human trafficking has been prepared in collaboration with various law enforcement agencies, and a database has been created. Programmes have been developed to care for and rehabilitate victims, raise awareness through brochures and leaflets and train workers in judicial, governmental and non-governmental bodies. Efforts are also being made to update the plan of the National Committee to Combat Human Trafficking in order to strengthen and develop existing measures and to introduce new mechanisms for combating this offense.

41. Regarding persistent cases of human trafficking in the Sultanate, we would like to refer to the international character of human trafficking, which occurs in other countries. Cases recorded in the Sultanate are few. Dar al-Wifaq, which provides care for human-trafficking victims, took in nine cases in 2013, 11 in 2014, two in 2015 and 15 in 2016. The law enforcement agencies conduct labour inspections, raid suspected places of prostitution and publish news items about the combating of human trafficking and the deterrent penalties imposed for this offense.

42. Concerning the prosecution of persons accused of human-trafficking offenses, the Royal Oman Police collects evidence on suspected involvement in human trafficking, which is then investigated by the Public Prosecutor's Office. In 2015, nine males were accused of human trafficking (two Omani and seven foreign men). In 2016, there were only two human-trafficking offenses, which were committed by 10 perpetrators (three males and seven females, all foreigners).

43. A National Committee to Combat Human Trafficking is being formed. It is chaired by the general secretary of the Ministry of Foreign Affairs. Its members include undersecretaries of the ministries and advisers from various agencies concerned with combating human trafficking. The Committee will also have a team of experts and technicians tasked with researching human trafficking and developing protection mechanisms.

44. The Committee holds training workshops and awareness-raising programmes to enhance the capacities of workers involved in combating human trafficking. The Committee has financial resources which are expended on the protection, care and

rehabilitation of victims. In 2015, Dar al-Wifaq shelter spent 89,930 Omani rials on services provided to victims. In 2016, the shelter's expenditures doubled to 191,863 Omani rials to cover food service, weekly pocket money, travel tickets, communication services, sanitation services, etc.

45. The majority of human-trafficking cases recorded in the Sultanate involve persons who are 20 to 40 years of age. Most of the cases involve prostitution. A smaller percentage of cases involve forced labour. Omani law classifies human-trafficking crimes as felonies subject to penalties starting at three years of imprisonment. A person with knowledge of a human-trafficking offense who conceals such knowledge from the authorities is also subject to penalties. The law exempts victims from the payment of fees for the filing of civil suits. After a perpetrator is sentenced, the victims are granted an opportunity to work if they so desire and facilities for remaining in the country to continue working.

46. Omani law enforcement agencies raise awareness of human trafficking offenses by:

- Preparing publications and brochures in several languages for distribution to expatriate workers.
- Providing awareness-raising services for workers and employers (more than 600 programmes were delivered in 2015).
- Providing a free hotline number (80077000) for making reports.
- Holding seminars and training courses for workers involved in combating human trafficking, civil servants and members of civil-society associations.

Participation in political and public life

Response to question 14:

47. The Sultanate, through its competent agencies, spreads awareness of the importance of the participation of women in political and public life through awareness-raising and training programmes that target specialists and relevant staff in government and private institutions as well as women to strengthen their awareness of the importance of women's participation in political and public life.

48. Gender equality in various aspects of life is implicit in the totality of Omani legislation, starting with the Constitution, subject to the exigencies imposed by the nature of the life functions and developmental stages of society. The principles of equality have been and continue to be the prevailing mores observed in the regulation of public affairs in Oman. The rights granted to women largely conform to ratified international conventions on the protection of women's rights. Under such conventions, developments, statistics and indicators concerning the status of women are monitored with a view to creating an integrated plan to promote and empower women in different fields, such as education, health, the environment, the media, legislation, the economy, social life and politics.

49. Women lead many labour unions in the education, construction, industrial and other sectors and also staff the administrations of labour unions. The General Federation of Oman Trade Unions trains women cadres to conduct collective bargaining, recruit members and educate new female labour union members through workshops, programmes, and internal and external collaborations.

Nationality

Response to question 15:

50. The Sultanate is committed to preventing statelessness. It determines nationality based on *jus sanguinis* and *juris soli* in the case of a child of an unknown father or unknown parents. A person born of an Omani father acquires Omani nationality inherently. A son born of a foreign father and Omani mother acquires the nationality of his father in order to preclude dual nationality. However, Omani nationality may be granted to a minor born of an Omani mother whose husband is a foreigner if the conditions set forth in article 18 of the Omani Nationality Law are met.

51. Regarding the period that must lapse according to the Nationality Law before an Omani woman may transfer her nationality to her foreign husband and children, we affirm that the purpose of this requirement is to ensure the stability and permanence of the marital relationship in order to enhance the stature of the woman and to prevent her from becoming a mere means by which her husband may obtain Omani nationality, as mentioned in paragraph 99 of the report.

52. Nationality is a matter of sovereignty and is regulated by States according to their interests. The granting of nationality to children is a means of ensuring that they will not be stateless. Under Royal Decree No. 54/96, the Sultanate became a party to the Convention on the Rights of the Child, which provides for the right of every child to acquire nationality at birth. This commitment is fulfilled by the Omani Nationality Law, which provides for the acquisition of Omani nationality by any person born in the territory of Oman. The Sultanate has also adopted measures to treat the children of Omani women on a par with the children of Omani men in respect of entitlement to state services, particularly education and health services and scholarships for study abroad, all of which are provided to the children of Omani women free of charge on a par with other Omanis.

53. The requirement that a certain period must lapse before Omani nationality may be granted to the husband of an Omani woman stems from the philosophy of the Omani Nationality Law, namely that an Omani woman married to a foreigner is expected to live with her husband in his country. Hence, the law permits her to renounce her nationality. If she lives with her foreign husband in the Sultanate, the law requires that a suitable period of time lapse before the husband may be granted Omani nationality. This requirement is intended to ensure the stability of the marital relationship to thereby protect Omani women from being used by her husband merely as a means to obtain Omani nationality.

Education

Response to question 16:

54. As stated in the report, Article 36 of the Child Act (issued by Royal Decree No. 22/2014) stipulates and provides for free education in government schools until the completion of post-basic education. It also requires parents to enrol their children in school, ensure their children's regular school attendance and prevent their children from dropping out. Article 70 of the Child Act punishes a parent who fails to comply with the compulsory education requirement.

55. Regarding measures taken to reduce illiteracy among females and ensure that girls have access to extracurricular activities and sports activities in schools, a general education curriculum, including instruction in life skills, has been introduced in literacy education as stated in the report. Non-classroom literacy programmes have also been provided in neighbourhoods and villages. The "Literate

Villages" programme and cooperative schools have also helped eradicate illiteracy in the targeted villages in the Sultanate in cooperation with the Omani women's associations. In academic year 2015/16, there were 12 specialized literacy centres in the governorates (97 per cent of the students in the centres were females) and 13 adult education centres in which 3788 women were enrolled (20 per cent of total enrolees).

56. Gender equality is guaranteed at the basic education level. At the post-basic education levels (general education and higher education), female enrolees have increased and female dropout rates have decreased. In academic year 2015/16, 27,636 females were enrolled in first through eleventh grade (49.72 per cent of the total) and 5158 females were enrolled in secondary education studying for a general education diploma (49.9 per cent of the total).

57. The National Centre for Vocational Guidance, in cooperation with the private sector, runs many programmes and activities for both sexes equally, without gender discrimination and based on equal opportunity, including: the Ghaytuh Youth Leadership Programme which develops the capacities and skills of youth in various areas; the International Leaders Program, which refines students' skills in public speaking, critical thinking, communication, analysis, problem-solving, activity management, projects and community service and provides them with vocational guidance; the Oman Challenge Programme, a non-profit educational initiative that develops students' basic life skills in the desert areas and on the coasts of Oman; the "I Am a Business Entrepreneur" Programme, an initiative that seeks to spread a culture of business entrepreneurship among tenth-grade and eleventh-grade students throughout Oman to encourage them to establish their own commercial enterprises and to promote individual initiative and self-employment; the Takatuf Leaders Programme, which trains tenth-grade students in leadership and professional roles and gives top performers an opportunity to develop their academic talents and complete their studies in international universities and institutions; and the Injaz Oman Programme, in which private-sector volunteers run extracurricular activities that provide students with vital skills and capacities for entering the labour market and working in small and medium enterprises.

58. The children of foreign nationals in Oman enjoy the same rights as those established for the children of citizens, particularly in respect of pre-university education. All children receive the same benefits offered at all levels of education in all educational institutions run by the state, without the slightest material or moral discrimination.

Employment

Response to question 17:

59. Women constitute 47 per cent of full-time Civil Service employees. Women and men in the Civil Service receive equal pay for work of equal value pursuant to Royal Decree No. 78/2013, which unifies the schedule of grades and salaries of Omani civil servants.

60. The Omani Penal Code guarantees the right to protection from sexual harassment in the workplace. The Civil Service Law, section 10, covers the duties and prohibitions in this regard.

61. As of December 2016, 98,860 or 23.5 per cent of the woman employed in the private sector were insured and 24 per cent were registered with the Public Authority for Social Insurance.

Health

Response to question 18:

62. Abortion in the Sultanate is illegal because it conflicts with the Islamic Sharia. A pregnant woman may undergo an abortion performed by a licensed physician in necessary cases in which the physician sincerely believes that an abortion is the only means of saving the woman's life. The woman is not considered an offender. She is punished only if the abortion is performed by herself or by another person with her consent or upon her request. Article 11 of the Law on the Practice of Human Medicine states that a physician may not take any measure that leads to an abortion, nor may he perform an abortion unless required by medical reasons that are approved by a specialized medical committee. In this case, the operation must be performed by an obstetrics and gynaecology specialist when possible. Therefore, an abortion is currently permitted when the mother's life is in danger. The National Bioethics Committee is currently discussing the possibility of permitting an abortion if the foetus is so malformed as to make its life difficult.

63. In order to spread health awareness in society, and in view of the lack of a school health curriculum, the Ministry of Health, in cooperation with the Ministry of Education and United Nations Children's Fund, issued a book entitled *The Facts of Life*. The book, which is distributed to male and female students in eleventh grade, serves as a health information resource for school students.

64. *The Facts of Life*, in its first and second editions, includes 17 chapters. New chapters on health subjects of interest to students in this age group were added to the third edition and to subsequent editions for a total of 30 chapters in the fourteenth edition.

65. As the number of book chapters and users grew, it was decided to publish the book in two volumes starting in 2006 to provide students with health information to help them adopt a healthy and safe lifestyle.

66. The second volume of *The Facts of Life*, which is intended for girls in literacy classes, covers birth spacing. Each new edition of the book contains updated information and health statistics that reflect new developments.

67. In 2015, 23,773 pregnant women received their first tetanus vaccine dose.

68. In 2015, 50,001 pregnant women received their second tetanus vaccine dose.

69. According to statistics for 2015, 21,011 Omani and expatriate women visited birth spacing clinics in that year.

70. The Ministry of Health, in collaboration with a number of relevant bodies, developed a long-term plan for the Omani health system covering up to the year 2050. Also, a strategic study on the health of women and children, including programmes, indicators and current challenges, was prepared. The plan and study were used to develop a strategy for women's health over the course of their lifetime. The strategy includes the following objectives:

- Elimination of avoidable maternal and new-born mortality.
- Reduction of maternal and child morbidity and mortality.
- Improvement of the quality of health services.
- Creation of an environment conducive to the health of women and children.

Strategies were formulated to achieve these objectives, which will be translated into a number of activities that will be implemented in future five-year

plans. The Ministry of Health is currently reviewing the strategy for women's health with a view to adopting it.

Women migrant domestic workers

Response to question 19:

71. The Sultanate attaches the utmost concern to domestic workers. The Ministry of Manpower has issued regulations and laws that guarantee the rights of domestic workers, such as Ministerial Decision No. 189/2004 concerning labour rules and requirements for domestic workers. The aforesaid decision: regulates the employer-employee relationship based on licensure requirements, labour contracts, medical inspections and labour cards; requires employers to pay salaries monthly and provide workers with appropriate food, housing, medical care and airfare; and defines the duties of domestic workers based on labour contracts that set forth specific terms. Ministerial Decision No. 1/2011 concerns the issuance of regulations on the recruitment of non-Omani workers. It regulates labour recruitment offices so as to guarantee the rights of employers and employees and to prevent the trafficking and exploitation of workers. The Ministry supervises labour recruitment offices and ensures that they apply the aforesaid regulations. It also receives complaints. It handled 298 complaints in 2014 against labour recruitment offices, of which 197 were resolved and 32 were referred to the judicial authorities. The Ministry is in the process of resolving the remaining complaints.

72. The Ministry of Manpower also issued Ministerial Decision No. 647/2011 establishing a committee to hold meetings, in coordination with the Ministry of Foreign Affairs and Royal Oman Police, with the embassies of States that send workers to Oman. The meetings are intended to find appropriate solutions to problems facing female workers, particularly domestic workers, whose rights are violated.

73. In addition, the Ministry of Manpower issued Ministerial Circular No. 2/2006, which prohibits employers from withholding the passports of their workers. The circular guarantees a worker's freedom to retain his/her passport. The Ministry of Manpower received and took action regarding 475 complaints of the retention of passports by employers.

74. The regulations in effect in Oman provide for workers to change employers. The Ministry of Manpower receives requests from workers wishing to change employers. In 2014, the Ministry received and took legal action regarding 439 such requests.

75. Regarding the accession of Oman to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and ILO Convention No. 189 on Domestic Workers, Oman is currently focused on acceding to human rights treaties which it previously accepted during the Universal Periodic Review. It will study other conventions consistent with its national interests after adopting measures to join the conventions which it has accepted.

76. The General Federation of Oman Trade Unions, represented by the Working Women's Committee, is undertaking, according to procedures agreed with the competent bodies and employers, to communicate with female domestic workers to raise their awareness, explain their rights and duties under the Labour Law and convey legal information to them.

77. Members of the Working Women's Committee conducted field visits in coordination with labour recruitment offices to ascertain and improve the conditions of female domestic workers and discuss the challenges facing them.

78. The General Federation of Oman Trade Unions is seeking to develop annual awareness-raising programmes that provide non-Omani workers with information on their rights and duties under domestic and international laws. The Federation conducts field visits to examine the conditions of workers and ascertain whether their rights have been violated. In addition, it receives labour complaints through its website and social media. It discusses the complaints with the relevant bodies, resolving them or referring them to the judiciary. The objectives of the Federation's forthcoming strategy include the issuance of a guide for domestic workers.

Equality before the law and in civil matters

Response to question 20:

79. Chapter 3 of the Law of Evidence in Civil and Commercial Transactions (issued by Royal Decree No. 68/2008) regulates the requirements for testimony, which do not discriminate between men and women. There is no discrimination in witness testimony in civil and criminal matters.

80. Regarding a woman's freedom of movement, the Omani Passport Law was amended to entitle a woman to obtain a passport without the consent of her guardian. This is in line with the Basic Law of the State and the status quo in Oman, under which a woman need not obtain the consent of her husband or guardian in order to travel.

Marriage and family relations

Response to question 21:

81. The provisions of the Personal Status Law are derived from the Islamic sharia, which underpins legislation in the Sultanate. The Personal Status Law does not discriminate against women in Oman. It guarantees women all rights consistent with the Islamic sharia. The promulgation of legislation that conflicts with the Islamic sharia would violate the Basic Law of the State. Thus, the Sultanate seeks to address cases relating to women's rights in the framework of the Personal Status Law.

Optional protocol and amendment to article 20 (1)

Response to question 22:

82. The Sultanate of Oman is currently focused on acceding to human rights treaties which it previously accepted during the Universal Periodic Review. It will study other conventions and supplementary protocols thereto consistent with its national interests after adopting measures to join the conventions which it has accepted.